

U.S. DEPARTMENT OF COMMERCE - PATENT AND TRADEMARK OFFICE (REV 12-2001)		ATTORNEY'S DOCKET NUMBER <b>2060.0030006/EKS/HCC</b>
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		U.S. APPLICATION NO. (IF KNOWN, SEE 37 C.F.R. § 1.5) <b>10/031,345</b>
INTERNATIONAL APPLICATION NO <b>PCT/US00/19774</b>	INTERNATIONAL FILING DATE <b>19 July 2000</b>	PRIORITY DATE CLAIMED <b>19 July 1999</b>
TITLE OF INVENTION <b><i>Inducing Cellular Immune Responses To Hepatitis C Virus Using Peptide and Nucleic Acid Compositions</i></b>		
APPLICANT(S) FOR DO/EO/US <b>Alessandro SETTE, John SIDNEY, Scott SOUTHWOOD, Brian D. LIVINGSTON, Robert CHESNUT, Denise Marie BAKER, Esteban CELIS, Ralph T. KUBO, and Howard M. GREY</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li><input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li><input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).</li> <li><input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li><input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li><input type="checkbox"/> has been communicated by the International Bureau.</li> <li><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).             <ol style="list-style-type: none"> <li><input type="checkbox"/> is attached hereto.</li> <li><input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li><input type="checkbox"/> Amendments to the claims of the International application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li><input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li><input type="checkbox"/> have been communicated by the International Bureau.</li> <li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li><input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 372(c)(3)).</li> <li><input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)) (six pages).</li> <li><input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>		
Items 11 to 20 below concern other document(s) or information included:		
<ol style="list-style-type: none"> <li><input type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.</li> <li><input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.</li> <li><input type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li><input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li><input type="checkbox"/> A substitute specification.</li> <li><input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li><input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.</li> <li><input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li><input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li><input checked="" type="checkbox"/> Other items or information: 1) A copy of the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US); and 2) Petition For Extension of Time Under 37 C.F.R. § 1.136(a)(1).</li> </ol>		

21.  The following fees are submitted:

CALCULATIONS PTO USE ONLY

Basic National Fee (37 CFR 1.492(a)(1)-(5)); Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO .....	\$1040.00
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO .....	\$890.00
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO .....	\$740.00
International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) .....	\$710.00
International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) .....	\$ 100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$0

Surcharge of \$130.00 for furnishing the oath or declaration later than  20  30 months  
from the earliest claimed priority date (37 CFR 1.492(e)).

\$130.00

Claims	Number Filed	Number Extra	Rate	
Total Claims	29 - 20 = 9		9 X \$18.00	\$162.00
Independent Claims	3 - 3 = 0		0 X \$84.00	\$0
Multiple dependent claim(s) (if applicable)			+ \$280.00	\$0
<b>TOTAL OF ABOVE CALCULATIONS</b>				<b>\$162.00</b>
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$0
<b>SUBTOTAL</b>				<b>\$292.00</b>
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$0
<b>TOTAL NATIONAL FEE</b>				<b>\$292.00</b>
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$0
<b>TOTAL FEES ENCLOSED</b>				<b>\$402.00</b>

07/20/2011 10031345

Amount to be refunded: \$

130.00 0P  
162.00 0P

charged: \$

- A check in the amount of \$402.00 to cover the above fees is enclosed.
- Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.
- The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-0036. A duplicate copy of this sheet is enclosed.
- Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit Under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

**CUSTOMER NUMBER 26111**  
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.  
1100 New York Avenue, NW, Suite 600  
Washington, D.C. 20005-3934



SIGNATURE

Helene C. Carlson

NAME

47473

REGISTRATION NUMBER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

SETTE *et al.*

Appl. No. 10/031,345

U.S. National Phase of Int'l. Appl. No.:  
PCT/US00/19774  
Filed: July 19, 2000

For: **Inducing Cellular Immune  
Responses To Hepatitis C Virus Using  
Peptide and Nucleic Acid Compositions**

Art Unit: To be assigned

Examiner: To be assigned

Atty. Docket: 2060.0030006/EKS/HCC

**Petition For Extension of Time Under 37 C.F.R. § 1.136(a)(1)**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

It is hereby requested that the period for replying to the outstanding Office Action be extended 1 month from June 22, 2002 to July 22, 2002 by the filing of this Petition and fee payment.

The petition fee (37 C.F.R. § 1.17(a)) is believed to be \$110.00 for a 1 month extension for a large entity. Fee payment is provided in our accompanying Check No. 35949. However, if extensions of time under 37 C.F.R. § 1.136 other than those provided herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this Petition is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

*Helene C. Carlson*

Helene C. Carlson

Agent for Applicants

Registration No. 47,473

Date: July 22, 2002

1100 New York Avenue, N.W.

Suite 600

Washington, D.C. 20005-3934

(202) 371-2600

SKGF\_DC1:37107.1

## Certificate Under 37 C.F.R. § 3.73(b)

Applicant/Patent Owner: SETTE et al.

Application No./Patent No.: 10/031,345

Which is the U.S. National Phase of PCT/US00/19774

I.A. Filed: July 19, 2000

### Entitled: Inducing Cellular Immune Responses To Hepatitis C Virus Using Peptide And Nucleic Acid Compositions

Epimmune Inc., a corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest, or
2.  an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

A.  An Assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel       , Frame       , or for which a copy thereof is attached.

OR

B.  A chain of title from the inventor(s) of the patent application/patent identified above to the current assignee as shown below:

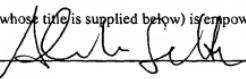
1. From:        To:         
The document was recorded in the Patent and Trademark Office at  
Reel       , Frame       , or for which a copy thereof is attached.
2. From:        To:         
The document was recorded in the Patent and Trademark Office at  
Reel       , Frame       , or for which a copy thereof is attached.
3. From:        To:         
The document was recorded in the Patent and Trademark Office at  
Reel       , Frame       , or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

**[NOTE:** A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Signature: 

Name: Alessandro D. Sette, Ph.D.

Title: Vice President and Chief Scientific Officer

Date: 10/19/02



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20591-0001  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/031,345	Sette	2060.0030006/EKS/HCC
		INTERNATIONAL APPLICATION NO.
		PCT/US00/19774
		I.A. FILING DATE      PRIORITY DATE
		07/19/2000

Sterne Kessler Goldstein & Fox  
 1100 New York Avenue N.W.  
 Suite 600  
 Washington, DC 20005-3934

CONFIRMATION NO. 6431  
 371 FORMALITIES LETTER

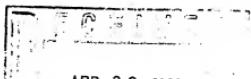
  
 \*0C00000007922220\*

Date Mailed: 04/22/2002

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Copy of IPE Report
- Copy of the International Application
- Copy of the International Search Report
- Preliminary Amendments
- Request for Immediate Examination



APR 30 2002

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 EKS (APR 30)  
 HCC 5/1/02  
 1  
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 5/1/02*

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Additionally the following defects have been observed:

**DOCKETED**

- Additional claim fees of \$162 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

Declaration, Excess Fee

Due June 22, 2002

STAT BAR

November 22, 2002

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$162 for a Large Entity:

- Total additional claim fee(s) for this application is \$162
  - \$162 for 9 total claims over 20.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

DARRELL C COTTMAN

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Telephone: (703) 305-3693

**PART 1 - ATTORNEY/APPLICANT COPY**

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/031,345	PCT/US00/19774	2060.0030006/EKS/HCC

FORM PCT/DO/EO/905 (371 Formalities Notice)